

In The United States District Court
For the Southern District of Illinois

Christopher Roy Koch
Plaintiff

St. Clair Countys Sheriff Department

Richard Watson; Sheriff

Xavier Blackburn; Det

Officer John Doe I

Officer John Doe II

Officer John Doe III

Officer John Doe IV

Officer John Doe V

Officer John Doe VI

Sergeant Scott

Officer Kryff

Jane Doe I Medical Staff

Sergeant Moore

Officer Germaine

Jane Doe II Memorial's staff

Defendants

Complaint 19-1362-JPG
Civil Action #
Jury Trial Demanded

I Complaint

Comes now, Christopher Koch, Plaintiff, Pro Se in the above entitled cause; wherein Plaintiff Charges the St Clair County Sheriffs Department and said Defendants with cited violations of his constitutional rights. In support Hereof Plaintiff states as follows:

II Parties Jurisdiction and Venue

- I Plaintiff, Christopher Koch, Submits that he, at all times relevant hereto, is a U.S citizen and resident of the state of Illinois
- II Plaintiff, Christopher Koch was confined in the St. Clair County Jail, Located at 700 N 5th street in city of Belleville in the state of Illinois From July 18 2019 to November 1 2019.
- III Plaintiff further submits that at all times relevant to the instant matter cause the herein Listited Defendants were all U.S Citizens, who resided in the state of Illinois and were employed by the St. Clair Countys Sheriffs Department. Thus Defendants having Contravened Plaintiffs Constitutional Rights via their sperefied

IV actions and or interactions. Perpetrated under the color of Law, are being sued in both their professional and personal capacities. Said Defendants are:

Richard Watson	Xavier Blackburn
John Doe I	John Doe II
John Doe III	John Doe IV
John Doe V	John Doe VI
officer Knyff	Sergent Scott
Jane Doe I	Sergent Moore
Officer Germaine	Jane Doe II

V This action arises under and is brought pursuant to 42 U.S.C section 1983 to remedy the deprivation, under color of state law, of rights guaranteed by the eighth and fourteenth Amendments to the united states constitution. This Action pursuant to 28 U.S.C sections 1331 and 1343

VI The course of action arose in the southern District of Illinois therefore venue is proper under 28 U.S.C Section 1391

III Previous Lawsuits by Plaintiff

Plaintiff has filed no other Law suits Dealing with the same Facts involved in in this action or otherwise relating to his imprisonment, with any other Judicial Body state or Federal

IV Exhaustion of Administrative Remedies

Plaintiff submits that he has presented various complaints, no fewer than 3 related to his medical treatment. Where upon, no response or relief was given. Noting that Court I is the 4th Amendment issue was properly Dismissed by the court [see attached court order]

V Statement of Claims

At a relevant times herein Defendant were "persons" For purposes of 42 U.S.C Section 1983 and acted under Color of law to deprive plaintiff of his constitutional rights as set forth more fully below

VI Statement of Facts

- I On July 18 2019 Det Xavier Blackburn along with six unknown officers of the St Clair Countys Sheriffs Department Arrived at Plaintiffs then residence located at 410 Jerome in Cahokia Illinois, whereupon Defendants without search warrant or consent or otherwise the existence of exigent circumstances entered plaintiffs home and arrested plaintiff there by taking him into custody and Depriving him of his Freedoms, seizing Aprox three hundred and Fifty Dollars then confining him in the St Clair county Jail under the custody, care, and control and over all manangement of Defendant Richard Watson.
- II On July 22 2019 while being illegally confined Plaintiff became embroiled in a physical Altercation with another Detainee where upon Plaintiff was rendered unconscious pursuant to having sustained head and neck injurys
- III Plaintiff submits that the following Facts Relating to his head and neck injurys are some what unclear, However what Plaintiff does Recall is as Follows

IV Plaintiff having regained consciousness equally becomes aware of excruciating neck pain while laying in a veritable pool of his blood ie from the gash in his Fore head wich was A proximate cause of Plaintiff having been beaten with a blunt object eg the confined Detainees [Medical] cast

V It was at this time that plaintiff was ordered By Defendant Sergeant Scott to "get up" whereupon plaintiff responded moaning and complaining of his neck and that he couldnt move with out being subject to excruciating pain. However Defendant sergent scott ignored plaintiffs cries of pain and Forced plaintiff to walk despite plaintiffs wholly obvious bleeding head injury, to interview room where Defendants photographed plaintiffs still Leaking gashed head injury

VI Once in medical Plaintiff informed Defendant medical staff Jane Doe I of the excruciating Pain in his neck. A Fact wich Defendant Jane Doe I totaly ignored, thus revealing her Deliberate indifference to plaintiffs Neck injury. In Fact said Defendant went so Far as to intentionally yank plaintiffs head Right to Left while osteribly examined the gash in plaintiffs forehead again

adding unnecessary pain to Plaintiff's neck. After which she then told defendant Sergeant Scott that Plaintiff would need quite a few stitches.

VII At which time Defendant Sergeant Scott ordered Defendant officer Knyff to take plaintiff to Memorial Hospital in Belleville Illinois. Plaintiff was then taken to Booking And placed in hand cuffs and Ankle shackles then taken to the Jail Sally Port where Awaiting Sheriff's Squad car was waiting.

VIII It must be noted here that not only is plaintiff made to move and walk without any sort of stabilizing device on his neck; But and more over there exists the fact that Plaintiff is positioned in the transport vehicle in a manner that is wholly inimical to the seriousness of his critical medical needs [ie with respect to Plaintiff Being well Above average height 6'4" Plaintiff is literally craned into the back Plastic cage of a Sheriff's Cruiser with no safety belt and while wearing hand and leg restraints] Plaintiff is thus made to endure the unnerving sharp turns and abrupt stops made by Defendant officer Knyffs. wholly improper And painful transport of plaintiff to Memorial Hospital

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IX It must equally be noted that upon arrival at said hospital Plaintiff is quite painfully removed from the transport vehicle [ie. in re to plaintiff's moans and groans of pain] whereupon Defendant ignores and is thus wholly indifferent to the seriousness of plaintiff's medical needs and then tells plaintiff stop faking

X It is at this point Plaintiff is literally frog marched (while still in Leg restraints) towards the hospital's Emergency entrance where - unable to hold his head erect and - For the second time that day plaintiff Falls unconscious and is awoken, via smelling salts by hospital staff [whereupon it is noted that in contrast to ^{PLF's} professional indifference...

(AS NOTED ABOVE) Memorial hospital staff has responded by promptly and properly ensuring that plaintiff is placed in the requisite neck brace before even entering the hospital on proper stretcher]

XI while being examined by hospital staff Defendant Kniff is making wholly inappropriate (not to mention unprofessional) comments about Plaintiff (ie not at all taking plaintiff's medical condition serious - e.g. ^{intimidating} ~~intimidating~~ throughout the entire encounter "You're Faking")

~~SENT~~ Accordingly, Plaintiff Respectfully besceeches this Hon. Court to especially note the Below cited humiliating conduct wich Plaintiff is subjected to by Defendant Knyff - i.e while at hospital

- A) UPon Defendant being told By Plaintiff that he has to relieve himself (i.e. BM) Defendant un Fasters hand cuff From hospital Bed to where Plaintiff can remove the top part of St clair county Orange Jumpsuit and pushing it Down to ankles where it had to remain because of Ankle shackles
- B) Defendant Knyff Looks around Room and grabs small Dish used for patients to spit or vomit in, then handing it to plaintiff to relieve him self in
- C) Though Defendant Knyff is positioned in side the room with Plaintiff, Defendant elects not to close or other wise secure the curtain as plaintiff relieves him self
- D) Further noting Plaintiffs wholly comprising position (i.e. with Jumpsuit Down at Ankles curtain Brazenly open) where in

Plaintiffs Buttocks and genitals are in plain view to every one who passed the room and happened to look inside as far as medical staff and civilians alike

- E) Upon pulling his jumpsuit over his body Plaintiff realises he had urinated on his jumpsuit and was forced to lay in his urine with Defendant saying he could not remove leg shackles while he was only officer there. Despite considering Plaintiff was handcuffed to hospital bed. Plaintiff layed in his wet jumpsuit with fumes of urine until Knyffs Relief arrived with a clean jumpsuit hours later

XIV The Doctor Arrives with results of Plaintiffs M.R.I. where upon it is confirmed that Plaintiff Does indeed have a critical injury. Plaintiff is informed by Doctor as follows:
"You have a fracture of UR C4 vertebrae in your neck witch potentially render you a paraplegic" And was then Transported to Saint Louis University By Ambulance For Further examination By neurosurgeons

~~XV~~ After being released From Saint Louis University hospital and Returned to the infirmary at the St Clair County Jail, Plaintiff was not Desperced the the proper medication perscribed by St Louis University Neurosurgeon. He was furthermore forced to get up From his healing position to walk in to medical office Daily so medical could change the bandage over his stitches. After Repeating the painfull walk for many Days, Plaintiff begins refusing treatment to change bandage wich could of simply Been Brought to his infirmary bed.

~~XVI~~ Subsequently (i.e. Around Mid september 2019) Plaintiff is then transported by Defendants Sergent Moore and officer Germaine Back to St Louis University for Follow up. Where Upon it should be noted Defendants Appear to become overly Frustratedly irate because they been given the wrong Address. After finding the correct Address blocks away and where in the correct Building they again became lost looking for the correct Doctors office. And went to severl Different ones causing more unnecessecary Frustration~~ing~~ irate comments By Defendants. At wich point Sergent Moore stated if this aint the right place we

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Are leaving. Thus exhibiting a indifference to plaintiffs Documented medical needs

~~XVII~~ Fortunately For Plaintiff it was the correct floor and concomitant offices. However there became a issue that further Frustrated the Defendants. The Nurse For Neurosurgen was expecting Patient to have a D.V.D From memorial hospital with M.R.I and Cat Scan's results on it. Sergeant Moore then called the medical staff at Jail who said they had never recieved such Disk. Nurse then Left the room to see what the neurosurgen wanted Done. Officer Germain who had been texting his girlfriend stated to Defendant Moore he would see if she could find it since she worked at memorial hospital. So without going thru proper channels Defendant Germaine continued to text back and forth with Defendant Jane Doe II About Plaintiffs medical Records. stating to Defendant Sergeant more "She Found it" then commenting that technically he just violated Plaintiffs HIPAA Rights with Defendant Sergeant more saying "I aint telling anyone"

~~adding references~~ unnecessary

~~XVIII~~ However upon the nurses return the parties where informed the Doctor simply ordered new x-rays to be taken. After the Doctor examined the x-rays he removed Plaintiffs Neck Brace and said he would need physical therapy to regain full mobility of Plaintiffs head and neck. Once Doctor left the room And before the nurse returned with Doctors orders. Sergeant Moore having been obviously frustrated with the whole trip Elects to End it without receiving such orders From Doc As Defendants Lead Plaintiff From Doctors office Plaintiff asks arent we supposed to wait for the orders with Defendant Sergeant Moore commenting "Im not worried about them" and Officer Germain adding "Yea. Your walking aint ya?"

~~XIV~~ Plaintiff never recieved physical therapy and submitted grievance at Jail with no Response. He still has not regained the same use of his Neck as he had before the injury causing chronic pain and many sleepless nights

~~XX~~ on October 16 2019 A suppression Hearing was held at St Clair County court house over the warrantless entry of plaintiffs home in the Hon.

Zina R. Cruse's court Room. Prosecution was given till November 1st 2019 to produce Argument

~~XXI~~ November 1 2019 Prosecution Declared No Argument will be Filed. All Evidence was suppressed and warrantless entry to plaintiff's home was ruled unconstitutional. Plaintiff was released From said charges (see Attached court Ruling)

Accordingly Plaintiff submits that pursuant to the foregoing facts i.e. that he charged Defendants with having contravened his United States Constitutional Rights via the following Counts

COUNT I

Arresting officers i.e Det Blackburn and John Doe's 1-6 Ahe Hereby charged with the contravention of Plaintiffs constitutional rights to be free From illegal search and seizure (i.e. of his home and person respectfully) All of which resulted in plaintiff's improper and illegal confinement at Defendants Saint Clair County Jail [The facts of which are more fully set forth in supporting paragraph #1

COUNT II

Count II is also being lodged Against Defendant Blackburn and John Does 1-6 For illegal and improper confiscation of Plaintiff's U.S. currency (Approx \$350)

COUNT III

Plaintiff submits For his third count that Saint Clair Countys sheriff Richard Watson and Sergeant Scott are hereby charged with contraventional of Plaintiff constitutional Rights to Equal Protection, wherein Defendants Richard Watson and Sergeant Scott via the promulgational of improper protocol Procedures and Daily practices failed to ensure that plaintiff was properly protected From bodily harm from other pretrial Detainees thus resulting in plaintiff having sustained a critical neck Fracture

COUNT IV

Plaintiff submits that this particular count is lodged Against Defendants Jane Doe I Sergeant Scott sergeant Moore officer Knyff officer Germain Sheriff Richard Watson and the Saint Clair County Jail For having engaged in conduct which served to Evidence their Deliberate indifference to the overall seriousness of Plaintiff's medical needs Here by resulting in the violation of plaintiff's constitutional rights protecting him From cruel and unusual punishment and not providing

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with proper and Adequate Medical Care

COUNT IV

Plaintiff submits that the instant matter count is lodged Against Defendants Jane Doe II and officer Germane for their violation of the Hippa statute. Hereby equally resulting in the contravention of plaintiffs rights confidentiality inRE his medical files as guaranteed by the United states constitution.

VII Statement of Relief

wherefore for the foregoing premises Plaintiff prays that this hon. court issue a order granting Plaintiff relief as follows

Trial by Jury on all triable issues

Both compensatory and ^{*}punitive Damages in the form of monetary relief

Injunctive relief pursuant to rule 65 (FRCP) Directing that an order of replevin be issued Against Plaintiffs arresting officers For the prompt return of Plaintiffs money wick was taken as evidence. see Attached Court Ruling Suppressing evidence

*
NOTE:

SEE NOTE 13 @ TOP

* Note

The Latter specifically relates to Defendants continued willful and varied Exhibition of Deliberate indifference [conduct] all of which was Exacerbated by Defendants willfull and intentional interference of plaintiffs overall medical treatment thus warranting the harsh imposition of punitive Damages the specified Amount to later be determined i.e. subsequent to the completion of Discovery Proceedings and any necessary Amended Complaint.

Signed this 10th Day of December 2019

I Christopher Roy Koch declare under Penalty of Perjury that the Foregoing is Both true and correct

Christopher Roy Koch

Christopher Roy Koch

12-10-19

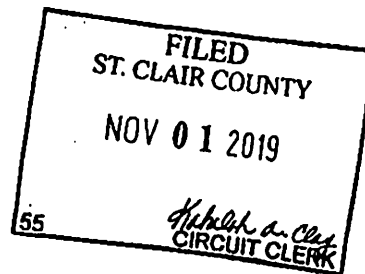
4395

State of Illinois
IN THE TWENTIETH JUDICIAL CIRCUIT, ST. CLAIR COUNTY, BELLEVILLE, ILLINOIS

PEOPLE OF THE STATE
vs.

No. 19 CF 1104

Koch, Christopher R.
Defendant



ORDER

This cause coming before the Court; the Court being fully advised in the premises and having jurisdiction of the subject matter; Defendant appeared on 10-16-19 with counsel (Craig) and State appeared.

The Court finds:

On the Motion to Suppress, the ~~for~~ State was given leave to file additional argument + defense to respond; State announces no argument will be filed;

1. The Motion to Suppress is granted; the evidence obtained + statements obtained are inadmissible.
2. The warrantless entry and subsequent search and seizure was unconstitutional.
3. Defendant is released on \$25,000⁰⁰ recognizance (release instanter)
4. Case is set 12-9-19, 8:45am. Court 409

Judge

Christopher Koch
St Clair County Jail
Belleville IL 62220

FEDERAL Building
Office of the Clerk
Southern Illinois District
750 Missouri AVE
EAST SAINT LOUIS, IL

MAIL ROOM
US MAIL

62201



RECEIVED

DEC 16 2019

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE